

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claim 5 is requested to be canceled.

Claims 10-19 have been previously withdrawn.

Claims 1, 20, 21 and 22 are currently being amended.

Claims 23, 24, 25, 26 and 27 are being added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier. Applicant makes these amendments to more clearly claim a commercial embodiment and not for reasons related to patentability. After amending the claims as set forth above, claims 1-4, 6-9 and 20-27 are now pending in this application.

Rejection Under 35 U.S.C. § 102

The Office Action rejected claims 1, 3, 5-6 under 35 U.S.C. § 102(b) as being anticipated by Effenberger et al. (U.S. Patent No. 5,230,937). Effenberger does not disclose a perfluoropolymer coating in a balanced state to prevent the membrane from curling as claimed by Applicant. Indeed, Figure 1 of Effenberger discloses a curled composite with coatings (20) on each side which are not applied evenly to effect a balanced state.

Effenberger in fact teaches away from what Applicant claims. Effenberger discloses a composite where the coatings are “applied so as to minimize the stiffness of the composite.” (Col. 8, lines 26-29). This would allow curling, not prevent the membrane from curling as claimed by Applicant.

Accordingly, Applicant believes this rejection should be withdrawn.

The Office Action also rejects claims 1-6, 21 and 22 under 35 U.S.C § 102(b) as being anticipated by Knox et al. (U.S. Patent No. 5,217,797).

Claim 1 as amended is limited to a reinforcement consisting of glass fibers. Knox discloses a reinforcement made from expanded PTFE. Polymers have different physical and chemical characteristics than non-polymers. Because Knox does not disclose this limitation, Knox fails to anticipate the amended claim 1.

Claims 21 and 22, as amended, relate to a belt, not a diaphragm “for use in valves and for pumps.” (Col. 1, lines 50-52). The amended claims require the claimed structure to be a belt. Knox does not disclose a belt. Because Knox fails to disclose each claim limitation, it does not anticipate amended claims 21 and 22. Accordingly, Applicant requests that this rejection be withdrawn.

Rejection Under 35 U.S.C. § 103

The PTO rejected claims 1, 7-9, and 20 under 35 U.S.C. § 103(a), as being unpatentable over Effenberger in view of Knox. Applicant respectfully traverses this rejection.

As discussed above, neither Effenberger or Knox discloses each and every limitation of the rejected claims. Specifically, Effenberger fails to disclose a membrane where a perfluoropolymer material is applied to each side of a reinforcement material so that the mechanical forces of the perfluoropolymer are in a balanced state to prevent the composite membrane from curling. Effenberger also teaches away from applying the coatings in a balanced state as previously described. Further, Knox is non-analogous to the machine driven belt art of Applicant’s claimed subject matter, and cannot be combined with Effenberger to render obvious the claimed invention. The Office Action itself identifies Knox as relating to diaphragms. (Paper No. 9, ¶ 17). Conveyor belts are used to move objects and require different physical properties than diaphragms. One skilled in the conveyor belt art would not look to the diaphragm art, which is used to create pressure differentials for use with valves and pumps. For these reasons, no prima facie case of obviousness is shown, and Knox should

not be used to establish an obviousness rejection. Accordingly, this rejection should be withdrawn.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

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